

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 974 - SB 1159

March 4, 2015

SUMMARY OF BILL: Enacts the *Tennessee Pregnant Workers Fairness Act*. Makes it a discriminatory practice based on sex for an employer to fail to make reasonable accommodations, as defined in the proposed legislation, for any condition of an applicant for employment or current employee related to pregnancy, childbirth, or a related condition. Requires the employer to consult with the employee to determine effective reasonable accommodations for the employee. Requires the employer to prove undue hardship. Creates a rebuttable presumption that the accommodation does not impose an undue hardship on the employer. Requires the employer to provide written notice of the right to be free from discrimination in relation to pregnancy, childbirth, and related conditions. Such notice must be conspicuously displayed in the common area of the employer's place of business that is accessible to all employees. Requires the Tennessee Human Rights Commission (THRC) to develop courses and conduct on-going public education efforts. Authorizes the THRC to promulgate rules.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- Currently, THRC investigates complaints of pregnancy discrimination in employment relative to hiring, termination, terms and conditions of employment, and promotion.
- THRC anticipates a five percent increase in the number of complaints relative to pregnancy discrimination. The increase in workload can be accommodated within existing resources.
- THRC will need to update the existing rules. No anticipated increase in expenditures as a result of revising and updating the required rules.
- The Department of Human Resources (DOHR) may have an increase in the number of inquiries and investigation requests from other state agencies regarding questions associated with accommodations of pregnant employees. Any increase in the workloads of DOHR can be accommodated within existing resources.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

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A handwritten signature in dark ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

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